

S/N 08/488,195

PATENTApplicant:  
Serial No.:RONNING  
08/488,195Examiner: P. LAUFER  
Group Art Unit: 3642

Filed: JUNE 7, 1995

Docket No.: 106783US01

Title: TRY BEFORE YOU BUY SOFTWARE DISTRIBUTION AND MARKETING SYSTEM

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on August 17, 1998.

By: *Kristine A. Wacek*  
Name: *Kristine A. Wacek*

**PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION  
IN ACCORDANCE WITH 37 C.F.R. § 1.137(b)**

Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

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This is a petition, in accordance with 37 C.F.R. §137(b), for revival of application no.

08/488,195 which may have been unintentionally abandoned.

In February of 1997, Applicant learned that its Verified Statement Claiming Small Entity Status was erroneous, resulting in an underpayment with respect to certain fees. In response to this discovery, Applicant filed a petition under 37 C.F.R. §1.28(c) to correct its status, including deficiency fees for the purpose of rectifying any underpayment.

Applicant has been notified by the USPTO that judgment regarding its petition to correct its status is being held in abeyance pending the outcome of the appeal in *DH Technology v. Synergystex International, Inc.*, 937 F.Supp. 902, 40 USPQ2d 1754 (N.D. Cal. 1996).

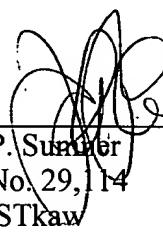
Applicant has been advised that a negative decision with respect to Applicant's petition could result in the unintentional abandonment of application no. 08/488,195. Accordingly, and in order to maintain the allowed status of continuation application 08/892,306, Applicant

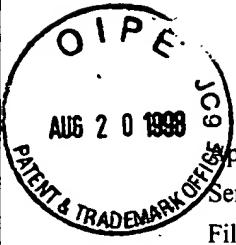
provisionally petitions for revival of the present application as being unintentionally abandoned. Any delay in the prosecution of the application caused by the submission of incorrect fees was unintentional. Enclosed is the petition fee of \$1,320.00. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT, P.A.  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, Minnesota 55402  
(612) 332-5300

Date: 8/17/78

  
John P. Summer  
Reg. No. 29, 14  
JPS:PSTkaw



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: RONNING      Examiner: P. LAUFER  
Serial No.: 08/488,195      Group Art Unit: 3642  
Filed: JUNE 7, 1995      Docket: 10678.1US01  
Due Date: AUGUST 15, 1998 (SATURDAY)  
Title: TRY BEFORE YOU BUY SOFTWARE DISTRIBUTION AND MARKETING SYSTEM

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Box DAC Assistant Commissioner for Patents, Washington, D.C. 20231, on August 17, 1998.

By: *Kristine A. Wacek*  
*Kristine A. Wacek*

Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Check(s) in the amount of \$1,320.00, for petition to revive
- Other: Petition for Revival of Unintentionally Abandoned Application in Accordance with 37 C.F.R. § 1.137(b)
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT, GOULD, SMITH, EDELL,  
WELTER & SCHMIDT  
3100 Norwest Center, Minneapolis, MN 55402  
(612) 332-5300

By: *[Signature]*  
Name: John P. Sumner  
Reg. No.: 29,114  
JPS:PST:kay

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